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CIA

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BY ROBERT SANGEORGE
WASHINGTON (UPI) -- CHIEF JUSTICE WARREN BU
UNPRECEDENTED LOWER COURT DECISION THAT ORDERS
'SENSITIVE INTELLIGENCE INFORMATION' TO THE RE
UNIFICATION CHURCH.

BURGER GRANTED A REQUEST BY THE CIA TO DELAY IMPLEMENTATION OF A
FEDERAL APPEALS COURT ORDER UNTIL THE AGENCY MAKES A FULL-SCALE
APPEAL TO THE HIGH COURT.

HIS ACTION FOLLOWS A SURPRISE OCT. 27 MOVE BY A LAWYER FOR MOON'S
ORGANIZATION, WHO TOLD BURGER THE GROUP WOULD NOT OPPOSE THE CIA'S
REQUEST TO TEMPORARILY BLOCK RELEASE OF THE PAPERS.

IN A BRIEF ORDER, BURGER SAID THAT IF THE SUPREME COURT REFUSES TO
HEAR THE CIA'S APPEAL, HIS ACTION STAYING THE LOWER COURT RULING WILL
AUTOMATICALLY "TERMINATE."

THE CIA CLAIMS THAT EXEMPTIONS IN THE FREEDOM OF INFORMATION ACT
ALLOW IT TO WITHHOLD THE DOCUMENTS, WHICH CONCERN "KOREAN-AMERICAN
RELATIONS DURING THE LATE 1970S."

"THIS IS THE FIRST CASE IN WHICH A COURT OF APPEALS ACTUALLY HAS
ORDERED THE DISCLOSURE OF SENSITIVE INTELLIGENCE INFORMATION THAT IS
CLASSIFIED UNDER AN EXECUTIVE ORDER OF THE PRESIDENT IN THE INTEREST
OF NATIONAL SECURITY," THE CIA ARGUES.

THE AGENCY CONTENDS THE MATERIAL REQUESTED BY MOON'S GROUP IS
EXEMPT FROM DISCLOSURE ON GROUNDS "OF FOREIGN POLICY OR NATIONAL
SECURITY," AS WELL AS THE PROTECTION OF "INTELLIGENCE SOURCES AND
METHODS."

THE CASE BEGAN IN 1978 WHEN THE UNIFICATION CHURCH MADE ITS
ORIGINAL REQUEST FOR THE INFORMATION. AFTER THE AGENCY REFUSED TO
TURN OVER MANY OF THE DOCUMENTS, THE CHURCH FILED SUIT.

A FEDERAL DISTRICT JUDGE ORDERED THE RELEASE OF PARTS OF SIX
DOCUMENTS. THE JUDGE NOTED THE PAPERS "INVOLVE CONGRESSIONAL AND
DEPARTMENT OF JUSTICE INQUIRIES INTO KOREAN-AMERICAN RELATIONS DURING
THE LATE 1970S AND REFER ONLY INCIDENTALLY TO THE UNIFICATION CHURCH
OR ITS FOUNDER SUN NYUNG MOON."

THE CIA WENT TO THE U.S. COURT OF APPEALS FOR THE DISTRICT OF
COLUMBIA, BUT THAT TRIBUNAL LAST DEC. 23 AFFIRMED THE DISTRICT
JUDGE'S DECISION.

ALSO AT ISSUE IN THE CASE ARE 35 OTHER DOCUMENTS THE CIA HAS
DECLINED TO RELEASE ON GROUNDS THEY ARE IN THE POSSESSION OF
CONGRESSIONAL COMMITTEES. THE DISTRICT COURT AGREED WITH THAT
ARGUMENT, BUT THE APPEALS COURT REVERSED AND ALSO ORDERED DISCLOSURE
OF THOSE PAPERS.

IN AN UNRELATED CASE, MOON, 61, HAS PLEADED INNOCENT TO FEDERAL
CHARGES OF FILING FALSE INCOME TAX RETURNS FOR THREE YEARS AND